

EXECUTIVE OFFICER SUMMARY REPORT  
August 13, 2003

ITEM: 16

SUBJECT: **PUBLIC HEARING:** Administrative Assessment of Civil Liability against Ashby USA for violations of the State Board's General Construction Storm Water Permit Order No. 99-08-DWQ at its Roripaugh Ranch construction site in Temecula, California. If the discharger elects to waive their right to a public hearing, the matter will be rescheduled to allow for a 30-day public review period at which time the Regional Board will consider assessment of civil liability (Tentative Order No. R9-2003-0302) (Rebecca Stewart)

**The public hearing for this item has been postponed.**

DISCUSSION: On July 25, 2003 Ashby USA, LLC submitted a written settlement offer to the Regional Board that was accepted by the Executive Officer for future consideration by the Regional Board. Therefore, the hearing for Administrative Assessment of Civil Liability in the amount of \$84,500 against Ashby USA, LLC has been postponed.

A 30-day comment period will be established to solicit comments from interested parties. Subsequently, the terms of the settlement along with any comments received during the comment period will be provided to the Regional board for consideration on September 10, 2003.